

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE, AS SUCCESSOR IN
INTEREST TO BANK OF AMERICA,
NATIONAL ASSOCIATION, AS
SUCCESSOR BY MERGER TO
LASALLE BANK NATIONAL
ASSOCIATION, IN ITS CAPACITY AS
TRUSTEE FOR THE REGISTERED
HOLDERS OF CD 2006-CD3,
COMMERCIAL MORTGAGE PASS-
THROUGH CERTIFICATES,
SERIES CD 2006-CD3,
c/o C-III ASSET MANAGEMENT, LLC

Plaintiff

v.

DRG CRUMS MILL RI, LLC, et al.,

Defendants

**FILED
SCRANTON**

AUG 21 2013

PER M. E. P.
DEPUTY CLERK

CIVIL ACTION NO. 3:12-1632

JUDGE NEALON

ORDER

AND NOW, THIS 21st DAY OF AUGUST, 2013, for the reasons set forth in the
Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's motion for judgment on the pleadings (Doc. 25) is **GRANTED**.
2. The Clerk of Court is directed to enter judgement in favor of the Plaintiff and against Defendants;
3. All right, title, lien and equity of redemption which all Defendants, and all those claiming by through or under Defendants, have or had in the property described in the June 29, 2006 "Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing" (Doc. 12-1) is hereby **FORECLOSED**;

4. The Property described therein shall be sold at a foreclosure sale pursuant to 28 U.S.C. § 2001 et seq. to be conducted by CBRE, Inc., the Receiver appointed by this Court on September 28, 2012 (Doc 9);
5. The amount due under the June 29, 2006 "Fixed Rate Note" (Doc. 1-2) is hereby fixed at \$16,974,900.02, together with continuing per diem regular interest thereon in the amount of \$2,267.86 per day from and after August 1, 2012 until the mortgaged property is sold at foreclosure sale, together per continuing per diem default interest thereon in the amount of \$1,918.66 per day from and after August 1, 2012 until the mortgaged property is sold at foreclosure sale, together with any and all other amounts advanced by Plaintiff during the pendency of this action, together with attorneys' fees and other costs and expenses permitted under the Loan Documents; and
6. The Clerk of Court is directed to **CLOSE** this matter.

A handwritten signature in black ink, appearing to read "William J. Dealon", written in a cursive style.

United States District Judge